

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

CHARLOTTE R. PIERCE,)	
)	
Plaintiff,)	
)	
v.)	No. 08-5124-CV-SW-WAK
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security)	
)	
Defendant.)	

ORDER

Before the court is the Commissioner's motion of November 3, 2009, requesting the court to enter a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure reversing the decision of the ALJ and remanding this case to the Commissioner under sentence four of 42 U.S.C. § 405(g). The Commissioner states that, upon remand, the ALJ will be directed to obtain a vocational expert's testimony in light of claimant's mental impairment. Claimant strenuously objects to a remand and requests the court to reverse the administrative decision and to award benefits. The matter has been fully briefed by the parties, and the court does not find oral argument is required. The Court trusts the Commissioner will ensure that an expedited and procedurally accurate reconsideration will occur, so that this matter will not be continued longer than necessary.

After consideration of the record, the court finds that a remand pursuant to sentence four is warranted. Remand will expedite administrative review and allow the Commissioner to properly consider the claim. Accordingly, it is

ORDERED that the decision of the ALJ is reversed, and this case is remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) for a proper and expedited consideration of the claim. [25]

IT IS SO ORDERED this 17th day of December, 2009, at Jefferson City, Missouri.

_____/s William A. Knox_____

WILLIAM A. KNOX
United States Magistrate Judge